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SCOTTISH STATUTORY INSTRUMENTS

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**2005 No. 616**

**AGRICULTURE  
FOOD**

**The Official Feed and Food Controls  
(Scotland) Regulations 2005**

*Made - - - - 30th November 2005*  
*Laid before the Scottish*  
*Parliament - - 1st December 2005*  
*Coming into force 1st January 2006*

**THE OFFICIAL FEED AND FOOD CONTROLS  
(SCOTLAND) REGULATIONS 2005**

PART 1

PRELIMINARY

1. Citation, commencement and extent
2. Interpretation
3. Appointment of authorised officers

PART 2

MAIN PROVISIONS

4. Competent authorities
5. Exchanging and providing information
6. Obtaining information
7. Power to issue codes of recommended practice
8. Monitoring of enforcement action
9. Power to request information relating to enforcement action
10. Power of entry for persons monitoring enforcement action
11. Meaning of “enforcement authority” and related expressions
12. Offences relating to regulations 9 and 10
13. Right of appeal
14. Appeal to Court of Session against dismissal of appeal under regulation 13(1)
15. Staff of competent authority of another member State

*Status: This is the original version (as it was originally made).*

16. Commission experts
17. Prohibition on disclosure of trade secrets
18. Execution and enforcement
19. Powers of entry
20. Obstruction etc. of officers
21. Penalties
22. Time limit for commencement of prosecutions

### PART 3

#### OFFICIAL CONTROLS ON FEED AND FOOD OF NON-ANIMAL ORIGIN FROM THIRD COUNTRIES

23. Interpretation of this Part of these Regulations
24. Feed enforcement responsibilities
25. Food enforcement responsibilities
26. Deferred execution and enforcement
27. Prohibition on introduction of certain feed and food
28. Checks on products
29. Detention, destruction, special treatment, re-dispatch and other appropriate measures and costs
30. Notices pursuant to Article 19 of Regulation 882/2004 (imports of feed and food from third countries)
31. Right of appeal in respect of notices served under regulation 30
32. Appeal to Court of Session against dismissal of appeal under regulation 31
33. Serious risk to animal or public health
34. Liability for charges
35. Procurement by authorised officers of samples with regard to food
36. Analysis etc. of samples
37. Powers of entry of authorised officers of a food authority
38. Obstruction etc. of officers (imports)
39. Offences and penalties
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### PART 4

#### AMENDMENT OF THE GENERAL FOOD REGULATIONS 2004

41. Amendment of the General Food Regulations 2004

### PART 5

#### ENFORCEMENT AND SUPPLEMENTARY PROVISIONS

42. Offences due to fault of another person
43. Defence of due diligence
44. Offences by bodies corporate
45. Offences by Scottish partnerships
46. Protection of officers acting in good faith
47. Service of documents
48. Consequential amendment
49. Revocations
- Signature

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SCHEDULES

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| SCHEDULE 2       | DEFINITION OF RELEVANT FEED LAW                                                                                                                       |
| SCHEDULE 3       | DEFINITION OF RELEVANT FOOD LAW                                                                                                                       |
| SCHEDULE 4       | COMPETENT AUTHORITIES FOR THE PURPOSES<br>OF CERTAIN PROVISIONS OF REGULATION<br>882/2004 IN SO FAR AS THEY APPLY IN RELATION<br>TO RELEVANT FEED LAW |
| SCHEDULE 5       | COMPETENT AUTHORITIES FOR THE PURPOSES<br>OF CERTAIN PROVISIONS OF REGULATION<br>882/2004 IN SO FAR AS THEY APPLY IN RELATION<br>TO RELEVANT FOOD LAW |
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